

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

BERLIE CATLIN MOORE,
#240553

Plaintiff,

VS.

FRANK LEE YOUTH CENTER,
et al.

Defendants.

CASE NO.: 2:07-CV-195-ID

ANSWER

COME NOW Defendants, **Debra Martin and Vivian Langford**, by and through Troy King, Attorney General for the State of Alabama, via undersigned counsel, and do hereby submit the following Answer to the Plaintiff's Complaint.

1. Vivian Langford denies threatening or harassing the Plaintiff.
2. Debra Martin denies considering Plaintiff's race or handicap in deciding not to reclassify Plaintiff to a lower custody.
3. Defendants deny all other allegations in the Plaintiff's Complaint.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a claim upon which relief can be granted.
2. The Court lacks jurisdiction over the persons involved in this action.
3. The Court lacks jurisdiction over the subject matter of this action.

4. The Plaintiff lacks the capacity to bring this action.
5. The Plaintiff's claims are barred by the applicable statute of limitations.
6. The Defendants generally deny that the Plaintiff is entitled to receive any portion of the relief requested in the Complaint filed in the above-styled action.
7. The Plaintiff is generally not entitled to be awarded punitive damages in connection with any claims against the Defendants.
8. To the extent that any of the foregoing allegations in this Complaint have not been admitted or denied, they are hereby denied.
9. Defendants assert qualified immunity.
10. Defendants assert sovereign immunity.
11. Defendants assert state-agent immunity.
12. Defendants assert functional discretionary immunity.

RESPECTFULLY SUBMITTED,

TROY KING
ATTORNEY GENERAL
KIN047

/s/ J. Matt Bledsoe-----
J. Matt Bledsoe (BLE 006)
ASSISTANT ATTORNEY GENERAL
Counsel for Defendants Vivian Langford
& Debra Martin

OF COUNSEL:

OFFICE OF THE ATTORNEY GENERAL

11 South Union Street

Montgomery, AL 36130

(334) 242-7443

(334) 242-2433 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I have, this 30th day of May, 2007, electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF system, and that I have further served a copy of the foregoing on the Plaintiff, by placing same in the United States Mail, postage prepaid and properly addressed as follows:

Berlie Catlin Moore, #240553

Frank Lee Youth Center

PO Box 220410

Deatsville, AL 36022

/s/ J. Matt Bledsoe

OF COUNSEL